

## California and Western Medicine

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## EDITORIALS\*

### CALIFORNIA'S NEW CLINIC LAW

*Title of California Clinic Bill.*—In the Miscellaneous department of this number of CALIFORNIA AND WESTERN MEDICINE appear the opinion and interpretations of the Hon. U. S. Webb, Attorney General of the State of California, on certain phases of California's new clinic statute (Assembly Bill No. 1277, Chapter 765, approved by Governor James Rolph, Jr., June 5, 1933). The title of this measure reads as follows:

"An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act."

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*State Board of Health to Supervise the Clinics.*—When Governor Rolph signed this new statute, the Board of Public Health of California, at its first subsequent meeting, placed the item on its

\* Editorials on subjects of scientific and clinical interest, contributed by members of the California Medical Association, are printed in the Editorial Comments column, which follows.

docket for consideration. Letters were also sent to members of the California Medical Association who had been especially interested in the passage of the measure, asking for suggestions regarding fees to be charged, and so on. It early became evident to the State Health Board that it was desirable to secure from the Attorney General an opinion on some of the provisions of the Act, concerning which differences of opinion in interpretation might easily arise. A letter formulating such queries was thereupon dispatched by the board; and the reply of the Attorney General is printed on page 214 of this issue.

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*State Attorney General Webb's Opinion.*—A perusal of Attorney General Webb's opinion reveals how difficult it is to secure the enactment of laws in such simple and direct form that confusion and controversy do not come into question. It must be remembered that the Act as passed, owing to amendments, is quite different in parts from the original draft, as first drawn up by Dr. John Ruddock of Los Angeles and as submitted to the legislature through the California Medical Association Department of Public Relations.

This clinic law is something comparatively new and, like our medical practice acts in the stages of their beginning, may need considerable modification to make it elastically workable and fully practicable.

With the advice, however, which Attorney General Webb and his deputy, Lionel Browne, Esq., have submitted, it will now become possible for the State Board of Public Health to devise ways and means to put the Act into operation. But it is unfortunate that the licensing fee for all clinics is held to the minimum \$5, because this small sum will probably not be sufficient to create a fund through which the various provisions of the Act may be adequately carried out. Section 5 states:

" . . . All existing clinics and dispensaries as herein defined, other than those maintained, conducted and operated by the United States of America, or any department, official, or agency thereof, or clinics maintained by employers without profit for the sole benefit of their own employees, or research clinics working under nonprofit foundation registered with the United States government for tax exemption shall make written application as herein provided for such permit within ninety days from and after the date when this Act goes into effect. Application for permit must be made annually by every such person, firm or corporation maintaining, conducting and operating a clinic and dispensary other than the United States of America or any department, official or agency thereof, or clinics maintained by employers without profit for the sole benefit of their own employees, or research clinics working under nonprofit foundation registered with the United States Government for tax exemption."

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*When the Clinic Law Becomes Operative.*—This Act, having been signed by Governor James Rolph, Jr., on June 5, by special legislative action, became a law on August 21, 1933. According to the provision in Section 5, just quoted, every clinic, other than those specified, must make written application for a license to operate within ninety days, or before December 5. The opinion